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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Priority Application Serial No......10/053,733
3 Priority Filing Date.....Jan 18, 2002
4 Inventorship Hardwick et al.
5 Priority Examiner Garcia Otero, E.
6 Priority Group Art Unit 2123
7 Attorney's Docket No. MS1-1422USC1
8 Title: Action Based Services In A Performance Simulation Infrastructure

INFORMATION DISCLOSURE STATEMENT

The citations listed are submitted in compliance with the duty of disclosure defined in 37 CFR §1.56. Copies of the cited references were cited or submitted with the priority application and are therefore not submitted herewith.

The Examiner is requested to make these citations of official record in this application.

Respectfully Submitted,

By: Allan T. Sponseller
Reg. No. 38,318

Date: 6/15/04

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet	1	of	2	Application Number	10/304,601
				Filing Date	11/25/2002
				First Named Inventor	Smyth
				Group Art Unit	2123
				Examiner Name	
				Attorney Docket Number	MS1-1422USC1

NON PATENT LITERATURE DOCUMENTS		
Examiner Initials ¹	Cite No. ¹	T ²
	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	
	ANDRADOTTIR; "A Review of Simulation Optimization Techniques"; Proceedings of the 1998 Winter Simulation Conference; pp. 151-158.	
	AZADIVAR; "Simulation Optimization Methodologies"; Proceedings of the 1999 Winter Simulation Conference; pp. 93-100.	
	BOESEL, et al.; "A Framework for Simulation-Optimization Software"; Technical Report; Department of Industrial Engineering and Management Sciences, Northwestern University; May 1999; 25 pages.	
	BOESEL, et al; "Future of Simulation Optimization"; Proceedings of the 2001 Winter Simulation Conference; pp. 1466-1469.	
	CHONG, et al; "A Framework for Simulation-based Network Control via Hindsight Optimization"; Conference on Decision and Control (CDC), 2000; 6 pages.	
	GEHLSEN, et al.; "A Framework for Distributed Simulation Optimization"; Proceedings of the 2001 Winter Simulation conference; pp. 508-514.	
	HARDWICK, et al; "Modeling the Performance of E-Commerce Sites"; Journal of Computer Resource Management; Winter 2002 Edition; Issue 105; pp. 3-12.	
	HUMPHREY, et al; "A Revised Simplex Search Procedure for Stochastic Simulation Response-Surface Optimization"; Proceedings of the 1998 Winter Simulation Conference; pp. 751-759.	
	JOSHI, et al.; "Framework for the Optimization of Discrete-Event Simulation Models"; Proceedings of the 17th ASEM National Conference; October 10-12, 1996; 7 pages.	
	NEDDERMEIJER, et al; "A Framework for Response Surface Methodology for Simulation Optimization"; Proceedings of the 2000 Winter Simulation Conference; pp. 129-136.	
	SWISHER, et al.; "A survey of Simulation Optimization Techniques and Procedures"; Proceedings of the 2000 Winter Simulation Conference; pp. 119-128.	

Examiner Signature		Date Considered
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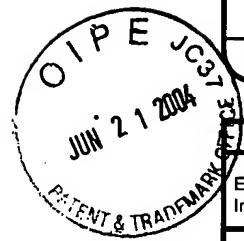
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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<p>Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				Complete if Known	
				Application Number	10/304,601
				Filing Date	11/25/2002
				First Named Inventor	Smyth
				Group Art Unit	2123
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	MS1-1422USC1



NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/304,601

Filing Date

Nov 25, 2002

First Named Inventor

Smyth

Group Art Unit

2123

Examiner Name

BRODA, SAMUEL

Attorney Docket Number

MS1-1422USC1

ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s) Sheets
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
Return Receipt Post Card; PTO Form 1449

Remarks

22801

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

Allan T. Sponseller, Reg. No. 38,318

Signature

Date

6/15/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 6/16/04

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Laurie Morgan

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JUN 21 2004

PTO/SB/17 (10-03)

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STANFORD FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	10/304,601
Filing Date	Nov 25, 2002
First Named Inventor	Smyth
Examiner Name	BRODA, SAMUEL
Art Unit	2123
Attorney Docket No.	MS1-1422USC1

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number 12-0769
 Deposit Account Name Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee			
1002 340	2002 170	Design filing fee			
1003 530	2003 265	Plant filing fee			
1004 770	2004 385	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1)		(\$ 0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 0.00)

(Complete if applicable)

Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Telephone (509) 324-9256	Date
Allan T. Sponseller		38,318		6/15/04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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